

**COUNTY COUNCIL**

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**Council Services Division**  
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Līhu'e, Kaua'i, Hawai'i 96766

**MEMORANDUM**

May 20, 2015

**TO:** Bernard P. Carvalho, Jr., Mayor

**FROM:** Mel Rapozo, Council Chair 

**RE:** **MAY 19, 2015 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its May 19, 2015 Council Meeting:

**CONSENT CALENDAR:**

C 2001-220 Communication (05/16/2001) from Cesar C. Portugal, County Engineer, requesting Council approval to dispose the remnant roadway of Papaa Road, TMK 4-9-5:6, 10, 13; 4-9-06:5,7,8,9, 11; 4-9-07:1,7,8, since the remnant roadway services only the Mandalay properties. *(Received for the Record.)*

C 2015-148 Communication (04/08/2015) from the County Attorney, transmitting for Council information, the Quarterly Report on Settled Claims against the County of Kaua'i from January 1, 2015 through March 31, 2015. *(Received for the Record.)*

C 2015-149 Communication (04/29/2015) from Councilmember Kuali'i, providing written disclosure of a possible conflict of interest and recusal, regarding the grant application by the Office of the Prosecuting Attorney for the Kaua'i Victim Witness Assistance Program 16-VW-03 Year 1, due to his employment with the YWCA of Kaua'i. *(Received for the Record.)*

C 2015-150 Communication (05/08/2015) from the Mayor, transmitting for Council consideration, pursuant to Sections 89-10(b) and 89C-5, Hawai'i Revised Statutes (HRS), the cost items for the Hawai'i Government Employees Association (HGEA) Bargaining Units 2, 3, and 4 between July 1, 2015 and June 30, 2017, pursuant to Section 19.13(B) of the Charter of the County of Kaua'i, as well as Unit 14 costs which are based on the Unit 3 contract pending Unit 14 negotiations; the negotiated wages are in accordance with the procedures contained in Chapter 89, HRS. *(Received for the Record.)*

COMMUNICATIONS:

C 2015-126 Communication (04/10/2015) from the County Attorney, requesting authorization to expend additional funds up to \$135,525 for Special Counsel's final billing for services rendered for Defendant County of Kaua'i in Tim Bynum vs. County of Kaua'i, et al., Civil No. 12-00523 RLP (U.S. District Court), and related matters. **(Approved.)**

C 2015-127 Communication (04/10/2015) from the County Attorney, requesting authorization to expend additional funds up to \$130,189 for Special Counsel's final billing for services rendered for Defendant Shaylene Iseri-Carvalho in Tim Bynum vs. County of Kaua'i, et al., Civil No. 12-00523 RLP (U.S. District Court), and related matters. **(Approved.)**

C 2015-128 Communication (04/10/2015) from the County Attorney, requesting authorization to expend additional funds up to \$56,480 for Special Counsel's final billing for services rendered for Defendant Sheilah Miyake in Tim Bynum vs. County of Kaua'i, et al., Civil No. 12-00523 RLP (U.S. District Court), and related matters. **(Approved.)**

C 2015-151 Communication (04/24/2015) from the Executive on Transportation, requesting Council approval to receive, indemnify, and expend a Federal Transit Administration (FTA) Section 5311 grant, in the amount of \$1,040,000, for operational expenses for the County Transportation Agency, to fund the 50% grant portion of wages, hourly pay, and fringe benefit line items for bus drivers. **(Approved.)**

C 2015-152 Communication (04/28/2015) from the Prosecuting Attorney, requesting Council approval for the following:

1. Apply for, receive, and expend state funds, in the amount of \$37,214, to fund one (1) Victim / Witness Trainee for the period of July 1, 2015 to September 1, 2015, one (1) Victim / Witness Counselor I for the period of September 2, 2015 to September 15, 2015, and one (1) Victim / Witness Trainee for the period of January 1, 2016 to June 30, 2016, and fringe benefits, for the Kaua'i Victim Witness Assistance Program 16-VW-03 Year 1, for the term July 1, 2015 through June 30, 2016; and
2. Indemnify the State of Hawai'i Department of the Attorney General.  
**(Approved.)**

C 2015-153 Communication (04/28/2015) from the Director of Economic Development, requesting Council approval to apply for, receive, and expend an estimated amount of \$10,000 from the State of Hawai'i Department of Labor and Industrial Relations (DLIR), to assist the County of Kaua'i in working with the State of Hawai'i Department of Education (DOE) – Future Farmers of America (FFA) programs at Kaua'i High School and Waimea High School in providing summer internship programs for students to work on Kaua'i farms, ranches, and agricultural-related businesses. **(Approved.)**

C 2015-154 Communication (04/28/2015) from the Director of Economic Development, requesting Council approval to apply for, receive, and expend \$20,000 for Calendar Year 2015, from the Hawai'i Tourism Authority (HTA), for the 2015 County of Kaua'i Harbors Greeting Program. ***(Approved.)***

C 2015-155 Communication (05/07/2015) from the Mayor, submitting his supplemental budget communication for Fiscal Year 2015-2016 and proposed amendments to the budget bills, pursuant to Section 19.02A of the Kaua'i County Charter. ***(Public Hearing scheduled for May 27, 2015 at 8:30 a.m., and referred to the June 3, 2015 Council Meeting.)***

C 2015-156 Communication (05/01/2015) from the Director of Economic Development, requesting Council approval to apply for, receive, and expend an estimated amount of \$25,000 from the State of Hawai'i Department of Business, Economic Development & Tourism (DBEDT), to study the potential for load shifting at County of Kaua'i water and wastewater facilities. ***(Approved.)***

C 2015-157 Communication (05/07/2015) from Councilmember Yukimura, requesting Council reconsideration of the Minutes of the February 6, 2015 Facilitated Shared Priorities Workshop.

- February 6, 2015 Facilitated Shared Priorities Workshop  
***(Received for the Record.)***

C 2015-158 Communication (05/08/2015) from the President of the Hawai'i State Association of Counties (HSAC), transmitting for Council approval, the slate of officers for the HSAC Executive Committee and Board of Director nominations for the National Association of Counties (NACo) and the Western Interstate Region (WIR) for the 2015-2016 term, pursuant to Section 5, Section 5A, and Section 5c of the Bylaws of the Hawai'i State Association of Counties, Inc. ***(Approved.)***

#### MINUTES FOR RECONSIDERATION:

February 6, 2015 Facilitated Shared Priorities Workshop  
***(Reconsideration Approved; Deferred)***

#### LEGAL DOCUMENT:

C 2015-159 Communication (05/05/2015) from the Housing Director, recommending Council approval of an agreement granting Community Planning and Engineering, Inc., access to the Koae Parcel, formerly referred to as Kukui'ula Workforce Housing Parcel, to undertake predevelopment site work on the premises situated at Tax Map Key (TMK) No. (4) 2-6-004:019.

- Right-of-Entry Agreement  
***(Approved.)***

#### COMMITTEE REPORT: APPROVED.

**BILL FOR FIRST READING:**

**Proposed Draft Bill (No. 2588) – A BILL FOR AN ORDINANCE APPROVING A COLLECTIVE BARGAINING AGREEMENT FOR BARGAINING UNITS 2, 3, AND 4 BETWEEN JULY 1, 2015 AND JUNE 30, 2017 (*Approved on 1<sup>st</sup> reading, Public Hearing scheduled for June 10, 2015 at 8:30 a.m., and referred to the June 10, 2015 Committee of the Whole Meeting.*)**

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads (*Via E-mail*)  
KCT CCs (*Via E-mail*)  
Council Services Staff (*Via E-mail*)